

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on June 16, 2009.

Mayor David W. Cline presided and called the meeting to order at 6:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Police Chief David Griffith, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting June 2 and special meeting June 9, 2009; Fire report for the month of May, 2009; payroll and bills for the first half of June, 2009.

Bills and payroll for the first of June, 2009

General Fund

Payroll		\$ 206,325.81
Bills		<u>\$ 140,257.73</u>
	Total	\$ 346,583.54

Hotel Tax Fund

Payroll		\$ 1,978.89
Bills		<u>\$ 4,635.89</u>
	Total	\$ 6,187.64

Festival Management

Bills		<u>\$ 1,666.26</u>
	Total	\$ 1,666.26

Capital Project

Bills		<u>\$ 11,611.12</u>
	Total	\$ 11,611.12

I-57 East TIF

Bills		<u>\$ 407.98</u>
	Total	\$ 407.98

Mall Business District

Bills		<u>\$ 678.00</u>
	Total	\$ 678.00

Water Fund

Payroll		\$ 35,082.76
Bills		<u>\$ 47,938.49</u>
	Total	\$ 83,021.25

Sewer Fund

Payroll		\$ 31,975.79
Bills		<u>\$ 48,078.92</u>
	Total	\$ 80,054.71

Cemetery Fund

Payroll		\$ 5,211.43
Bills		<u>\$ 4,067.27</u>
	Total	\$ 9,278.70

Health Insurance

Bills		<u>\$ 73,365.63</u>
	Total	\$ 73,365.63

Motor Fuel Fund

Bills	\$ 11,837.52
Total	\$ 11,837.52

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline opened the floor for public discussion on non-agenda items..

Mrs. Denise Been of 3501 Lake Paradise Road addressed the Council with a proposal to allow her to purchase the lake property before going to auction for \$15,000.

Dr. Greg Kuhn of NIU updated the Council on the staffing study with a preliminary report date of late July.

Upon opening the floor for agenda items, Mayor Cline reviewed the agenda with input from Department Heads and Council discussion followed.

Commissioner Ervin seconded by Commissioner Gover moved to adopt Resolution 2009-2780, establishing the prevailing rate of wages in the Coles County Area as determined by the Illinois Department of Labor as the wages that must apply to public works of the City of Mattoon consistent with mandates of the State of Illinois statute.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2780**

RESOLUTION ESTABLISHING THE PREVAILING RATE OF WAGES IN THE COLES COUNTY AREA AS DETERMINED BY THE ILLINOIS DEPARTMENT OF LABOR AS THE WAGES THAT MUST APPLY TO PUBLIC WORKS CONSTRUCTION OF THE CITY OF MATTOON CONSISTENT WITH MANDATES OF ILLINOIS STATUTE

WHEREAS, the State of Illinois has enacted “An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved June 26, 1941, as amended, being Section 820 ILCS 130/1-12 Illinois Compiled Statutes, commonly referred to as The Prevailing Wage Act, and

WHEREAS, the aforesaid Act requires that the City Council of the City of Mattoon, Illinois investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of Mattoon, Illinois employed in performing construction of public works, for said City of Mattoon, Illinois.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MATTOON, COUNTY OF COLES, AND STATE OF ILLINOIS:

SECTION 1: To the extent and as required by “An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Mattoon, Illinois is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Coles County area as determined by the Department of Labor of the State of Illinois as of June 2009, a copy of that determination being attached hereto as Exhibit “A” and incorporated herein by reference. The definition of any terms appearing in this Resolution which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works of the City of Mattoon, Illinois to the extent required herein by the aforesaid Act.

SECTION 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City of Mattoon, Illinois this determination of such prevailing rate of wage.

SECTION 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed or file their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The City Clerk shall cause a notice to be published in a newspaper of general circulation within the area that the determination of prevailing wages has been made. Said notice shall conform substantially to the notice attached hereto. Such publication shall constitute notice that this is the determination of the City of Mattoon, Illinois and is effective.

Upon motion by Commissioner Ervin seconded by Commissioner Gover adopted this 16th day of June 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 16th day of June, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 17, 2009.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to approve Council Decision Request 2009-975, authorizing the purchase of a 4-channel Voting System from Barbeck Communications, Effingham, Illinois in the amount \$19,982.50 to be paid from the Federal Sharing (Omega) account.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: Abstain Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Resolution 2009-2781a, adopting an Illinois Municipal Retirement Fund (IMRF) Early Retirement Incentive (ERI) for City employees participating in IMRF.

CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2781a

A RESOLUTION ADOPTING AN ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF) EARLY RETIRMENT INCENTIVE (ERI) TO THE IMRF EMPLOYEES OF THE CITY OF MATTOON

WHEREAS, Section 7-141.1 of the Illinois Pension Code provides that a participating employer may elect to adopt an early retirement incentive program offered by the Illinois Municipal Retirement Fund by adopting a resolution or ordinance; and

WHEREAS, the goal of adopting an early retirement program is to realize a substantial savings in personnel costs by offering early retirement incentives to employees who have accumulated many years of service credit; and

WHEREAS, IMRF has prepared an actuarial estimate of the cost of an early retirement incentive program for the City of Mattoon and the additional liability created by the early retirement incentive is estimated to be \$2,102,831; and

WHEREAS, the City Council has reviewed the cost estimate and determined that the adoption of an early retirement incentive is in the best interests of the City of Mattoon; therefore be it

RESOLVED by the City Council of the City of Mattoon that:

Section 1. The City of Mattoon does hereby adopt the Illinois Municipal Retirement Fund early retirement incentive program as provided in Section 7-141.1 of the Illinois Pension Code. The early retirement incentive program shall take effect on June 19, 2009.

Section 2. In order to help achieve a true cost savings, an employee who retires under the early retirement incentive program shall lose those incentives if he or she later accepts employment with any IMRF employer in any position. (**Exception:** employee can hold an elected position if he/she chooses to not participate in IMRF *and* the pension is not based on any service earned in that position during any term of office.)

Section 3. In order to utilize an early retirement incentive as a budgeting tool, the City of Mattoon will use its best efforts either to limit the number of retiring employees replaced or to limit the salaries paid to the replacement employees.

Section 4. The effective date of each employee's retirement under this early retirement incentive program shall be set by City of Mattoon and shall be no earlier than the effective date of the program and no later than one year after that effective date; except that the employee may require that the retirement date set by the employer be no later than the June 30 next occurring after the effective date of the program and no earlier than the date upon which the employee qualifies for retirement.

Section 5. To be eligible for the early retirement incentive under this Section, the employee must have attained age 50 and have at least 20 years of creditable service by his or her retirement date; and

Section 6. As of the date of the adoption of this Resolution, the City Council is not aware of the pending dissolution of the City of Mattoon.

Section 7. The City Clerk shall promptly file a certified copy of this resolution with the Board of Trustees of the Illinois Municipal Retirement Fund.

Upon motion by Mayor Cline seconded by Commissioner Ervin, adopted this 16th day of June, 2009 by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 16th day of June, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 17, 2009.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to approve Council Decision Request 2009-976, ratifying the remaining nominations for the city administrator search committee as Robert Becker and David Skocy.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Special Ordinance 2009-1343, approving a lease agreement between the City of Mattoon and Vincent Walk for the operation of the miniature golf course facility in Peterson Park presently known as Vinnie & Al's Pla-Mor Golf.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2009-1343**

**ORDINANCE TO APPROVE A LEASE AGREEMENT FOR THE OPERATION
OF THE MINIATURE GOLF COURSE FACILITY IN PETERSON PARK**

WHEREAS, Vincent S. Walk, owner of Vinnie & Al's Pla-Mor Golf has requested a lease renewal agreement to continue operation of the miniature golf course located in Peterson Park, and

WHEREAS, said lease agreement grants an initial Five (5) year term and an option for Three (3) additional Five (5) year terms, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, that the Mayor is authorized sign all related documents to execute the attached Lease Agreement.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin adopted this 16th day of June, 2009 by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 16th day of June, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 17, 2009.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2009-977, approving a \$300.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to East Central Illinois Antique Farm Equipment Club to host their event to be held July 17-19, 2009.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2009-978, authorizing the Mayor to sign Change Order #2 with Grunloh Construction in the amount of \$228.65 for the Depot Project.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2009-979, authorizing the Mayor to approve all future change orders on the Depot project, subject to the amount of the change order must be less than \$1,000.00 and the total amount expended under the contract after the change order must not exceed the total project cost of \$2,730,000.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to recess to closed session at 6:48 p.m. pursuant to the Illinois Open Meetings Act the purpose of considering the price for sale or lease of property (5 ILCS 120(2)(c)(6)); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council reconvened at 8:52 p.m.

Commissioner Hall seconded by Commissioner Gover moved to adjourn at 8:52 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk